



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/220,063	12/23/1998	STEPHANE AMARGER	1807.0631	3987

5514 7590 08/12/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
----------	--------------

2624

DATE MAILED: 08/12/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/220,063

Applicant(s)

AMARGER ET AL.

Examiner

King Y. Poon

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2003 and 13 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 14, 15, 17-34, 39, 40 and 42-47 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1-9, 14, 15, 17-34, 39, 40 and 42-47 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2624

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/28/2003 and 6/13/2003 has been entered.

Claim Rejections - 35 USC § 103

2. Claims 1-9, 15, 19-21, 23, 24, 26-34, 40, 44, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111).

Regarding claims 1, 26: Lobiondo teaches a device (scheduler, column 3, lines 41-45) for determining (column 4, lines 45-50) conditions for processing (criteria, column 3, lines 54-55) to be carried out on data in a file (column 3, line 66, column 3, line 45, column 4, lines 49-50), by at least one input/output means (printer, column 3, line 31) which modulates a physical quantity, (sets of document, column 4, line 35) comprising: means (the program software, column 3, line 46, that determines printing criteria, column 4, lines 45-50) for determining content of the data in

Art Unit: 2624

the file, and configuration determination means (the program software (column 3, line 46) that determines printer capabilities (configuration), column 4, lines 1-10, and to schedule print job, column 4, lines 45-60) adapted, without modifying the data, (print data is not modified when checking capabilities of printers, and the print job criteria/content) to take into account the content of the data in the file (column 4, lines 49-61) in order to determine for determining a configuration (printer capabilities (configuration), column 4, lines 1-10) of the input/output means (printer) designated to implement the processing.

Lobiondo does not teach determining a configuration of a pilot of the input/output means designated to implement the processing.

Marbry et al. teaches to print a print job to printers of different configurations. (column 1, lines 65-66, column 2, lines 1-11). Different configurations of a printer require the determination of a printer driver program/pilot's configuration (column 3, lines 10-15) such that a pilot with the correct configuration would be installed and configured for the printer to process a print job. (Column 5, lines 45-50, column 3, lines 13-15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo's configuration determination means to include: using the determined printer configuration information to determine a configuration of a pilot of a pilot of the input/output means designated to implement processing.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo by the teaching of Marbry et al. because of the

Art Unit: 2624

following reasons: (a) it would have allowed the print data processing system of Lobiondo to have the correct printer drive (pilot) for processing the print data; and (b) it would have ensured users of getting a print job printed according to users selected specifications by using the right print data processing software.

Regarding claims 2, 27: Lobiondo teaches wherein: the processing is carried out by at least two input/output means, (column 4, lines column 4, line 64) and the pilot configuration used by the pilot configuration determination means (configuration determination means) includes selection (selecting of a printer requires the selection of a printer driver, (pilot) see discussion of claim 1) of the input/output means intended to implement the processing.

Regarding claims 3, 28: Lobiondo teaches the device, including: means (the program software (column 3, line 46) that communicates with user, column 5, lines 20-35) for dialoguing with a user adapted to transmit questions (prompt the user, column 5, line 25) to the user and to receive information from the user in response, (column 5, line 27) wherein the pilot configuration determination means (configuration determination means) is also adapted to take into account the information received in response from the user in order to determine the pilot configuration. (selecting of a printer requires the selection of a printer driver, (pilot) see discussion of claim 1, and selecting of a printer depends on the user's response, column 5, lines 25-35).

Regarding claims 4, 29: Lobiondo teaches the device including a memory (database, column 3, lines 65-68) adapted to store information (information relating to print job, column 3,

Art Unit: 2624

line 67) received in response from the user. (Required completion time entered by user (response) of column 5, lines 25-35 is information relating to print job).

Regarding claims 5, 30: Lobiondo teaches wherein said memory is adapted to also store, associated with each item of information received, an item of information (print job data, column 3, line 58) representing the user who supplied it. (The print data is sent and request to be printed by a user, column 3, lines 55-65. Therefore, the print data send and request to be printed by the user is an item of information representing user who supplied it to be printed)

Regarding claims 6, and 31: Lobiondo teaches wherein the memory is adapted to also store associated with each item of information received, an item of information representing a concerned document. (Column 3, lines 65-68).

Regarding claims 7, and 32: Lobiondo does not teach the device including pilot updating means for: on the one hand to detect that a pilot of the input/output means intended to implement the processing is not available or is not up to date in a memory, and on the other hand, to read the pilot in another memory.

Marbry teaches pilot updating means (the program that is performing the function step of fig. 5) for: on the one hand to detect that a pilot of the input/output means intended to implement the processing is not available (unsuccessful in retrieving complete information, column 5, line 50-55) or is not up to date in a memory, and on the other hand, to read (copying, column 3, line 31) the pilot in another memory. (Database, column 5, line 66)

Art Unit: 2624

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo to include: pilot updating means for: on the one hand to detect that a pilot of the input/output means intended to implement the processing is not available or is not up to date in a memory, and on the other hand, to read the pilot in another memory.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo by the teaching of Marbry because of the following reasons: (a) it would have allowed users using up to date pilot for printing, and (b) it would have allowed users obtaining the complete printer configuration information when the printer configuration is not fully available, as taught by abstract of Marbry, and (c) using up to date pilot would ensure print jobs would be successfully printed.

Regarding claims 8, and 33: Lobiondo teaches the device including: means (the program of the scheduler) for checking an availability of input/output means (column 4, lines 45-50) adapted to transmit an item of information representing unavailability for processing of the data, (column 5, lines 20-35) when the means (printer, column 5, line 19) intended to process the data is not available for this purpose; and the pilot configuration determination means (configuration determination means) is adapted to take into account the unavailability information in order to determine a configuration of another input/output means (column 4, lines 45-50) for implementing the processing of the data.

Art Unit: 2624

Regarding claims 9, and 34: Lobiondo teaches wherein means for determining the contents of the data takes into account of at least two quantities (1000, set column 4, lines 35, and completion time, column 4, lines 56) related to the data.

Regarding claims 15 and 40: Lobiondo teaches wherein one of the quantities represents a number of digital information items (1000 set of document, column 4, line 35) in the data.

Regarding claims 19, and 46: Lobiondo teaches the device including a determination means (the software for determining set of document, column 4, line 35, and completion time column 4, line 56) for determining parts (set of document column 4, lines 35, and completion time, column 4, lines 56) of the data, wherein: the determination means is adapted to determine at least two quantities (document set column 4, lines 35, and completion time, column 4, lines 56) relating to each of the parts, the content estimation means (the program of the scheduler, column 3, lines 40-45, that estimate the completion time for the set of document) is adapted to estimate (determined, column 4, lines 47-49) content of each of the parts, (set of document column 4, lines 35, and completion time, column 4, lines 56) taking into account each quantity relating to the part, and the pilot configuration determination means (configuration determination means) is adapted to take into account content of the part in order to determine the configuration of the input output means (printer, column 4, lines 45-50) intended to implement the processing on the part.

Regarding claim 20: Lobiondo teaches a printer having a device of claim 1. (Printer, column 3, lines 25)

Art Unit: 2624

Regarding claim 21: Lobiondo teaches a facsimile machine, (the device that is creating a facsimile job, column 3, line 61) having a device of claim 1.

Regarding claim 23: Lobiondo teaches a display screen, (user interface, column 3, line 32, 40, fig. 2) having a device of claim 1.

Regarding claim 24: Lobiondo teaches a photographic apparatus, (the device that is creating the copy job, column 3, line 61) having a device of claim 1.

Regarding claim 44: Lobiondo teaches a step of printing the document. (Column 3, lines 45-50).

3. Claims 14, 39, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111) as applied to claims 1, 9, 26, 34, 46 above, and further in view of Barry et al. (U.S. Patent 5,859,711).

Regarding claims 14, 39: Lobiondo does not teach one of the quantities represents a number of pages in the document represented by data.

Barry et al., in the same area of printing documents, teach quantity determination means (program of fig. 5) is adapted so that one of the quantities represents a number of pages (232, fig. 5, column 8, lines 30-45) in the document represented by the document are determined.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include: one of the quantities represents a number of pages in the document represented by data.

Art Unit: 2624

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. by the teaching of Barry et al. because of the following reasons: (a) it would have allowed the system of Lobiondo to route different pages of a document to different printers as taught by Barry et al. at column 10, lines 1-5; and (b) it would have allowed the document to be printed faster by allowing different printer to print different pages of the document.

Regarding claim 47: Lobiondo does not teach wherein during the part determine step, pages of data are determined.

Barry et al., in the same area of printing documents, teach one of the quantities represents a number of pages (232, fig. 5, column 8, lines 30-45) in the document data.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al.'s the part determining step to include: pages of data are determined.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. by the teaching of Barry et al. because of the following reasons: (a) it would have allowed the system of Lobiondo to route different pages of a document to different printers as taught by Barry et al. at column 10, lines 1-5; and (b) it would have allowed the document to be printed faster by allowing different printer to print different pages of the document.

Art Unit: 2624

4. Claims 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111) and Shimizu (U.S. Patent # 5,040,079).

Regarding claim 22: Lobiondo does not teach a modulator demodulator, having a device of claim 1. (For device of claim 1, please see claim 1)

Shimizu, in the same area of printing device, teaches a modulator demodulator, (column 7, line 35-40) used with a printing system. (Column 7, line 30)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include: a modulator demodulator, having a device of Lobiondo in view of Marbry et al.

The reasons of doing so is because of the following reasons: (a) it would have allowed the printing system to communicate with other devices by modulating and demodulating signals; and (b) it would have allowed the print system with the modulator and demodulator to efficiently scheduling print job using the correct printer driver.

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111) and Takahashi (U.S. Patent # 5,926,285).

Regarding claim 25: Lobiondo does not teach a camera having an image sensor, having a device of claim 1. (Please see discussion of claim 1 for the device)

Art Unit: 2624

Shimizu, in the same area of printing device, teaches a camera (20, fig. 1) having an image sensor, used with a printing system. (91, fig. 1)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include: a camera having an image sensor, using the device of Lobiondo in view of Marbry et al.

The reasons of doing so is because of the following reasons: (a) it would have allowed the printing system to print a print job created by a camera; and (b) it would have allowed the print system with the camera to efficiently scheduling print job using the correct printer driver.

6. Claims 17, 42, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111) as applied to claims 1, 9, 26, and 34 above, and further in view of Lopresti (U.S. Patent # 6,298,173)

Regarding claims 17, 42: Lobiondo in view of Marbry et al. do not teach wherein one of the quantities represents a degree of compression to be obtained on the data using predetermined compression software.

Lopresti in the same area of transmitting document data, teaches one of the quantities in document information represents a degree of compression to be obtained on the document using predetermined compression software. (Column 9, lines 15-35).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include:

Art Unit: 2624

wherein one of the quantities represents a degree of compression to be obtained on the data using predetermined compression software.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. by the teaching of Lopresti because of the following reasons: (a) it would have allowed the printing system to print data with a high compression rate to save memory in storing the document data; (b) it would have allowed the printing system to print good images with a low compression rate.

Regarding claim 45: Lobiondo in view of Marbry et al. do not teach a step of compressing the data representing the data.

Lopresti in the same area of transmitting document data, teaches one of the quantities in document information represents a degree of compression to be obtained on the document using predetermined compression software, (Column 9, lines 15-35), i.e., Lopresti teaches to compress data.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include: compressing the data representing the data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. by the teaching of Lopresti because of the following reasons: (a) it would have allowed the printing system to print

Art Unit: 2624

data with a high compression rate to save memory in storing the document data; (b) it would have allowed the printing system to print good images with a low compression rate.

7. Claims 18 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (U.S. Patent # 5,287,194) in view of Marbry et al. (U.S. Patent # 5,692,111) as applied to claims 1, 9, 26, and 34 above, and further in view of Yoshida et al. (U.S. Patent # 6,184,999)

Regarding claims 18, and 43: Lobiondo in view of Marbry et al. do not teach wherein one of the quantities represents a period of time necessary for compression of the document, by predetermined compression software.

Yoshida, in the same area of storing image data, teaches one of the quantities represents a period of time necessary for compression of the document, by predetermined compression software. (Fig. 6, column 6, lines 20-25)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. to include: wherein one of the quantities represents a period of time necessary for compression of the data, by predetermined compression software.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo in view of Marbry et al. by the teaching of Lopresti because of the following reasons: (a) it would have allowed the printing system to print data with a high compression rate to save memory in storing the document data; and (b) it would

Art Unit: 2624

have avoided the compression process overtake the image data available for compression to ensure smooth flowing of image data in the compression software without having to wait for image data.

Response to Arguments

8. Applicant's arguments filed 4/28/2003 have been fully considered but they are not persuasive.

With respect to applicant's argument that the applied art does not teach means for determining content of data in the file for determining a configuration of the pilot of the input/output means designated to implement the processing, has been considered.

In reply: Lobiondo teaches a device (scheduler, column 3, lines 41-45) for determining (column 4, lines 45-50) conditions for processing (criteria, column 3, lines 54-55) to be carried out on data in a file (column 3, line 66, column 3, line 45, column 4, lines 49-50), by at least one input/output means (printer, column 3, line 31) which modulates a physical quantity, (sets of document, column 4, line 35) comprising: means (the program software, column 3, line 46, that determines printing criteria, column 4, lines 45-50) for determining content of the data in the file, and configuration determination means (the program software (column 3, line 46) that determines printer capabilities (configuration), column 4, lines 1-10, and to schedule print job, column 4, lines 45-60) adapted, without modifying the data, (print data is not modified when checking capabilities

Art Unit: 2624

of printers, and the print job criteria/content) to take into account the content of the data in the file (column 4, lines 49-61) in order to determine for determining a configuration (printer capabilities (configuration), column 4, lines 1-10) of the input/output means (printer) designated to implement the processing.

Lobiondo does not teach determining a configuration of a pilot of the input/output means designated to implement the processing.

Marbry et al. teaches to print a print job to printers of different configurations. (column 1, lines 65-66, column 2, lines 1-11). Different configurations of a printer require the determination of a printer driver program/pilot's configuration (column 3, lines 10-15) such that a pilot with the correct configuration would be installed and configured for the printer to process a print job. (Column 5, lines 45-50, column 3, lines 13-15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo's configuration determination means to include: using the determined printer configuration information to determine a configuration of a pilot of a pilot of the input/output means designated to implement processing.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo by the teaching of Marbry et al. because of the following reasons: (a) it would have allowed the print data processing system of Lobiondo to have the correct printer drive (pilot) for processing the print data; and (b) it would have ensured

Art Unit: 2624

users of getting a print job printed according to users selected specifications by using the right print data processing software.

With respect to applicant's argument that Lobiondo does not teach determining the content of data in the file for determining a configuration of the pilot of the input/output means designated to implement the processing.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Lobiondo teaches a device (scheduler, column 3, lines 41-45) for determining (column 4, lines 45-50) conditions for processing (criteria, column 3, lines 54-55) to be carried out on data in a file (column 3, line 66, column 3, line 45, column 4, lines 49-50), by at least one input/output means (printer, column 3, line 31) which modulates a physical quantity, (sets of document, column 4, line 35) comprising: means (the program software, column 3, line 46, that determines printing criteria, column 4, lines 45-50) for determining content of the data in the file, and configuration determination means (the program software (column 3, line 46) that determines printer capabilities (configuration), column 4, lines 1-10, and to schedule print job, column 4, lines 45-60) adapted, without modifying the data, (print data is not modified when checking capabilities of printers, and the print job criteria/content) to take into account the content of the data in the file (column 4, lines 49-61) in order to determine for determining a configuration (printer

Art Unit: 2624

capabilities (configuration), column 4, lines 1-10) of the input/output means (printer) designated to implement the processing.

Lobiondo does not teach determining a configuration of a pilot of the input/output means designated to implement the processing.

Marbry et al. teaches to print a print job to printers of different configurations. (column 1, lines 65-66, column 2, lines 1-11). Different configurations of a printer require the determination of a printer driver program/pilot's configuration (column 3, lines 10-15) such that a pilot with the correct configuration would be installed and configured for the printer to process a print job.

(Column 5, lines 45-50, column 3, lines 13-15)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo's configuration determination means to include: using the determined printer configuration information to determine a configuration of a pilot of a pilot of the input/output means designated to implement processing.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Lobiondo by the teaching of Marbry et al. because of the following reasons: (a) it would have allowed the print data processing system of Lobiondo to have the correct printer drive (pilot) for processing the print data; and (b) it would have ensured users of getting a print job printed according to users selected specifications by using the right print data processing software.

Art Unit: 2624

With respect to applicant's argument that Marbry does not teach the configuration information or the printer driver takes into account the contents of the document to be printed, has been considered.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Lobiondo teaches means (the program software, column 3, line 46, that determines printing criteria, column 4, lines 45-50) for determining content of the data in the file, and configuration determination means (the program software (column 3, line 46) that determines printer capabilities (configuration), column 4, lines 1-10, and to schedule print job, column 4, lines 45-60).

Lobiondo does not teach determining a configuration of a pilot of the input/output means designated to implement the processing.

Marbry et al. teaches to print a print job to printers of different configurations. (column 1, lines 65-66, column 2, lines 1-11). Different configurations of a printer require the determination of a printer driver program/pilot's configuration (column 3, lines 10-15) such that a pilot with the correct configuration would be installed and configured for the printer to process a print job. (Column 5, lines 45-50, column 3, lines 13-15)

Art Unit: 2624

In other words, Marbry teaches, in order for the printer of Lobiondo to print the document, a printer driver/pilot must be first configured according to the configuration (printer capabilities) of the printer to process the document data.

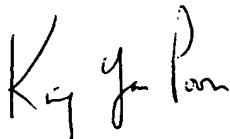
With respect to applicant's argument that the configuration information is not for the configuration of the printer for printing a given document, has been considered.

In reply: claims 1, and 26 are claiming to configure a printer driver/pilot. Column 1, lines 25-35, and column 4, lines 13-15, Marbry teaches the configuration information is not for the configuration of the printer driver/pilot for printing a given document.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

August 10, 2003

A handwritten signature in black ink, appearing to read "King Y. Poon". The signature is written in a cursive, somewhat stylized font.